

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Roger Daub; Richard Denzel; Russell T.)	
Forstner, son and representative of Stanley)	
J Forstner; Boyd Gilchrist; Robert Glasser;)	
Bonnie M. Pittman, daughter and	)	ORDER SETTING TRIALS
representative of Alvin Johnson; Martin)	
Ketterling; Karla Stenberg, daughter and	)	Case Nos.: 1:89-cv-103
representative of Ben Klein; Donald Loeb,	)	1:89-cv-104
son and representative of Teanus Loeb;	)	1:89-cv-105
Walter Popke; and Gale Welch, daughter	)	1:89-cv-106
and representative of Frank Willson;	)	1:89-cv-107
	)	1:89-cv-111
Plaintiffs,	)	1:89-cv-113
	)	1:89-cv-115
vs.	)	1:89-cv-120
	)	1:89-cv-126
Owens-Illinois, Inc., and S.O.S. Products,	)	1:89-cv-127
)	
Defendants.)	

A status conference was held on August 22, 2012, during which the parties apprised the Court of the state of settlement negotiations and the prospects for trial. During the conference, counsel for all parties involved expressed to the Court their preference as to how trials should be consolidated, if at all, in these matters. After considering the parties' input, the Court has concluded that the most appropriate trial schedule is as follows, and hereby **ORDERS** under Fed. R. Civ. P. 42:

- Plaintiffs Richard Denzel and Boyd Gilchrist shall be joined for a jury trial against defendants Owens-Illinois, Inc. and S.O.S. Products, which will begin at **9:30 a.m. on October 2, 2012 in Fargo, North Dakota;**

- Following the conclusion of that trial, plaintiffs (or their representatives) Roger Daub, Stanley J Forstner, Alvin Johnson, and Ben Klein shall be joined for trial against defendant Owens, Illinois, Inc.;

- Following that trial, plaintiffs (or their representatives) Robert Glasser, Martin Ketterling, Donald Loeb, Walter Popke, and Frank Willson shall be joined for trial

against defendant S.O.S. Products.;

If the parties have any objections to this grouping and order of trials, simultaneous briefs should be submitted to the Court no later than September 13, 2012.

IT IS SO ORDERED.

Dated this 29th day of August, 2012.

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court